



JC04 Rec'd PCT/PTO 05 JUL 2005

PCT

Practitioner's Docket No. U 015720-5

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_  
Inventor(s)

for \_\_\_\_\_  
Title of invention

**OR**

In re application of: Wenzhou LUO

Serial No.: 10/531,799

Group No.: N/A

Filed: April 18, 2005

Examiner: N/A

For: THE PROCESS FOR EXTRACTING GOLD IN ARSENIC-CONTAINING  
CONCENTRATE OF GOLD AND THE EQUIPMENT THEREOF

**Commissioner for Patents**

**P. O. Box 1450**

**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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**37 C.F.R. 1.8(a)**

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Signature

Julian H. Cohen

(type or print name of person certifying)

Date: June 28, 2005

NOTE: 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
- (3) *Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.*
- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

**WARNING:** *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

NOTE: *The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).*

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: *"No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."*

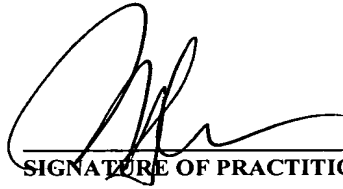
NOTE: *"An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: *"The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

If a fee is required, please charge deposit account 12-0425.



SIGNATURE OF PRACTITIONER

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#4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Wenzhou LUO

Serial No.: 10/531,799

Group No. N/A

Filed: April 18, 2005

Examiner: N/A

For: THE PROCESS FOR EXTRACTING GOLD IN ARSENIC-CONTAINING  
CONCENTRATE OF GOLD AND THE EQUIPMENT THEREOF

Attorney Docket No.: U 015720-5

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

We draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart International Application No. PCT/CN03/00856 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

Applicant's overseas representative provides the following comments regarding the non-English Chinese references.

CN1184856A disclosed a method of extracting arsenic and gold from raw material in the condition of normal pressure roasting reduction. Arsenic is subject to oxidization reaction to produce  $As_2O_3$ , and  $As_2O_3$  is then reduced to element arsenic under high temperature with carbon or  $H_2$ . The result of fine gold is extracted by conventional method.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)**

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Date: June 28, 2005

Julian H. Cohen

(type or print name of person certifying)

CN1045379A disclosed a device used for extracting gold from sulfur and arsenic containing material in the condition of oxidation atmosphere. First, As and S<sub>2</sub> are subject to oxidization reaction to produce As<sub>2</sub>O<sub>3</sub> and SO<sub>2</sub>; As<sub>2</sub>O<sub>3</sub> and SO<sub>2</sub> are then reduced to As and S<sub>2</sub> under reducer (such as SnCl<sub>2</sub> and H<sub>2</sub>); finally, the result of fine gold is extracted by conventional method.

CN1045379A disclosed a device used for extracting gold from sulfur and arsenic containing material in the condition of oxidation atmosphere. First, As and S<sub>2</sub> are subject to oxidization reaction to produce As<sub>2</sub>O<sub>3</sub> and SO<sub>2</sub>; As<sub>2</sub>O<sub>3</sub> and SO<sub>2</sub> are then reduced to As and S<sub>2</sub> under reducer (such as SnCl<sub>2</sub> and H<sub>2</sub>); finally, the result of fine gold is extracted by conventional method.

CN1363696A disclosed a method of extracting gold from high sulfur and arsenic containing gold material in oxidation furnace. As<sub>2</sub>O<sub>3</sub> is then reduced to As under reducer of carbon.

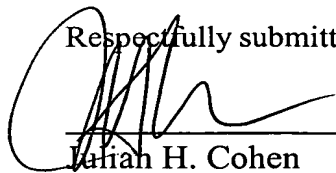
CN1189540A disclosed the same content as CN1184856.

CN2335974A disclosed a method of extracting gold from arsenic and sulfur containing material in oxidation furnace.

Compared with the references of CN1363696A, CN2335974A, CN1189540A, CN1045379A and CN1184856A, PCT/CN03/00856 disclosed a process for extracting gold in arsenic containing concentrate of gold under the condition of **vacuum and iron powder in smelting chamber**. Arsenic is removed in the way of volatilized arsenic sulfides by increasing the temperature of smelting chamber and crystallization chamber, and sulfur is removed in the way of gaseous sulfur decomposed from material by increasing the temperature of smelting chamber. Similarly, virulent As<sub>2</sub>O<sub>3</sub> and thus waste gas and wastewater which is caused by As<sub>2</sub>O<sub>3</sub> will not be generated.

Form PTO-1449 is also attached with reference copies.

Respectfully submitted,

  
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Sheet 1 of 1  
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FORM PTO-1449

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SERIAL NO.

U 015720-5

10/531,799

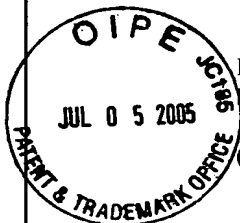
APPLICANT

Wenzhou LUO

FILING DATE

GROUP

APRIL 18, 2005



INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIALS | REFERENCE<br>DESIGNATION | DOCUMENT<br>NUMBER | DATE | NAME | FILING DATE IF<br>APPROPRIATE |
|----------------------|--------------------------|--------------------|------|------|-------------------------------|
|                      | AA                       |                    |      |      |                               |
|                      | AB                       |                    |      |      |                               |
|                      | AC                       |                    |      |      |                               |
|                      | AD                       |                    |      |      |                               |
|                      | AE                       |                    |      |      |                               |
|                      | AF                       |                    |      |      |                               |
|                      | AG                       |                    |      |      |                               |
|                      | AH                       |                    |      |      |                               |
|                      | AI                       |                    |      |      |                               |
|                      | AJ                       |                    |      |      |                               |
|                      | AK                       |                    |      |      |                               |

FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT<br>NUMBER | DATE    | COUNTRY | TRANSLATION |    |
|--|----|--------------------|---------|---------|-------------|----|
|  |    |                    |         |         | YES         | NO |
|  | AL | 1363696            | 08/2002 | CN      |             | X  |
|  | AM | 2335974            | 09/1999 | CN      |             | X  |
|  | AN | 1189540            | 08/1998 | CN      |             | X  |
|  | AO | 1045379            | 09/1990 | CN      |             | X  |
|  | AP | 1184856            | 06/1998 | CN      |             | X  |

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

|  |    |  |
|--|----|--|
|  | AQ |  |
|  | AR |  |
|  | AS |  |

EXAMINER

DATE CONSIDERED

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Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.